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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,969	03/17/2004	Akio Ishida	2271/71534	4183
7590 Ivan S. Kavrukov, Esq. Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036				
02/12/2009				
EXAMINER				
PARK, CHAN S				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
02/12/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/802,969

Applicant(s)

ISHIDA, AKIO

Examiner

CHAN S. PARK

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment filed on 12/8/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-9, 11-18, 20-32 and 34-38 is/are pending in the application.
- 4a) Of the above claim(s) 3, 8, 18, 22, 24, 32, 36 and 38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6, 7, 9, 11-17, 20, 21, 23, 25-31, 34, 35 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 12/8/08, and has been entered and made of record. Currently, **claims 1-4, 6-9, 11-18, 20-32 and 34-38** are pending. Of the above claims 3, 8, 18, 22, 24, 32, 36 and 38 are withdrawn from consideration.

Specification

2. The corrected or substitute specification was received on 12/8/08. The specification is acceptable.

Drawings

3. The corrected or substitute drawings were received on 12/8/08. The drawings are acceptable.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 2, 4, 6, 7, 9, 11-17, 20, 21, 23, 25-31, 34, 35 and 37 have been considered but are moot in view of the new ground(s) of rejection.
5. Applicant is advised that should claims 11-17, 20, 21 and 23 be found allowable, claims 25-31, 34, 35 and 37 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 4, 6, 7, 9, 11-17, 20, 21, 23, 25-31, 34, 35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koga U.S. Patent No. 7,075,670 in view of Tamai et al. U.S. Patent Application Pub. No. 2003/0133150 (hereinafter Tamai).

With respect to claim 1, Koga teaches a method used for providing configuration information of a printer to a printer driver in a server (printer driver stored in RAM 306 of the print server 300 in col. 3, lines 3-6 wherein the server 300 is

embedded in the internet web server 100, the print server 102 or server 115 in col. 5, lines 30-32) in an image printing system that includes a client, the printer and the server (system shown in fig. 1), comprising the steps of:

storing, in the server, configuration information of the printer (server receiving/storing the attribute setting file in col. 5, lines 16-20) obtained from a setting information storing region of the client (hard disk 300 or RAM 306 for storing the attribute setting file in col. 6, lines 35-37 & col. 8, lines 27-35), wherein the stored configuration information is associated with the printer driver of the printer (the attribute setting file configuring the printer driver in col. 4, lines 18-21); and

passing the configuration information of the printer to the printer driver in the server (reading the attribute setting file by the printer driver for executing the print job in col. 5, lines 36-44),

wherein the server includes a function for constituting an environment in which applications run only in the server (col. 5, lines 36-44); and

the passing of the configuration information of the printer to the printer driver in the server is performed during an auto-creation process performed by the function to auto-create a logical printer (the attribute setting file is passed to the printer driver so that the driver can convert the document according to the setting file in col. 4, lines 18-21 & col. 10, lines 14-18). Note that configuring the printer driver according to the setting file is construed as the step of creating a logical printer.

In the Remark filed on 12/8/08, the applicant states that the claimed server refers to the Metaframe server as defined in the Specification (paragraphs [0002] and [0004]).

Since the printer driver (applications) of the Koga server only runs in the server (col. 5, lines 36-44), the Koga server is construed as the claimed Metaframe server.

Koga, however, does not explicitly disclose that the passing of the configuration information to the printer driver is performed when the client logs onto the server.

Tamai, the same field of endeavor of the network printing art, discloses a printer server (application server in fig. 5) including logging-in means for allowing/restricting the client user from accessing the print setting file stored in the server (paragraph [0044]). Furthermore, based on the authentication and the stored setting file, the server converts the document data and transmits the converted document to the printer for printing (paragraph [0049]).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the printer server of Koga to include the logging-in means for configuring the setting of the printer driver as taught by Tamai.

The suggestion/motivation for doing so would have been to prevent unauthorized user from accessing the printer server for modifying the configuration setting file of the printer driver.

Therefore, it would have been obvious to combine Koga with Tamai to obtain the invention as specified in claim 1.

With respect to claim 2, Koga teaches the method as claimed in claim 1, the step of storing comprising the steps of:

storing the configuration information of the printer in the server (server receiving/storing the attribute setting file in col. 5, lines 16-20); and

storing, in the server, correspondence information (identification number in col. 8, line 65 ~ col. 9, line 2) between the printer driver and the configuration information of the printer (storing the list of attribute information with the corresponding printer in col. 8, lines 50-53 & fig. 9).

With respect to claim 4, Koga teaches the method as claimed in claim 2, the step of passing comprising the steps of:

referring to the correspondence information and searching for the configuration information corresponding to information sent from the client (acquiring the attribute setting file based on the inputted identification number in col. 9, lines 14-24).

With respect to claim 6, arguments analogous to those presented for claim 1, are applicable.

With respect to claim 7, arguments analogous to those presented for claim 2, are applicable.

With respect to claim 9, arguments analogous to those presented for claim 3, are applicable.

With respect to claim 25, Koga discloses a computer readable medium storing a computer program for causing a client to perform one or more operations, wherein the client is used in an image printing system that includes the client, the printer and a server including a printer driver of the printer (fig. 2), the computer program comprising:

obtaining program code means for obtaining configuration information of the printer from a setting information storing region in the client (setting attribute items in col. 4, lines 29-37);

storing program code means for storing the obtained configuration information in a file (col. 4, lines 38-41 & col. 8, lines 5-13); and

means for communicating information to cause the configuration of the printer to be passed to the printer driver in the server during an auto-creation process performed to auto-create a logical printer (the attribute setting file is passed to the printer driver so that the driver can convert the document according to the setting file in col. 4, lines 18-21 & col. 10, lines 14-18) by a function in the server for constituting an environment in which applications run only in the server (col. 5, lines 36-44). Note that configuring the printer driver according to the setting file is construed as the step of creating a logical printer.

In the Remark filed on 12/8/08, the applicant states that the claimed server refers to the Metaframe server as defined in the Specification (paragraphs [0002] and [0004]). Since the printer driver (applications) of the Koga server only runs in the server (col. 5, lines 36-44), the Koga server is construed as the Metaframe claimed server.

Koga, however, does not explicitly disclose that the passing of the configuration information to the printer driver is performed when the client logs onto the server.

Tamai, the same field of endeavor of the network printing art, discloses a printer server (application server in fig. 5) including logging-in means for allowing/restricting the client user from accessing the print setting file stored in the server (paragraph [0044]). Furthermore, based on the authentication and the stored setting file, the server converts the document data and transmits the converted document to the printer for printing (paragraph [0049]).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the printer server of Koga to include the logging-in means for configuring the setting of the printer driver as taught by Tamai.

The suggestion/motivation for doing so would have been to prevent unauthorized user from accessing the printer server for modifying the configuration setting file of the printer driver.

Therefore, it would have been obvious to combine Koga with Tamai to obtain the invention as specified in claim 25.

With respect to claim 26, Koga discloses the computer readable medium as claimed in claim 25, wherein the configuration information of the printer is information stored in the setting information storing region by a printer driver in the client (col. 4, lines 4-11 & col. 8, lines 5-13).

With respect to claim 27, Koga discloses the computer readable medium as claimed in claim 26, wherein the obtaining program code means obtains print setting information in addition to the configuration information, and the storing program code means stores the configuration information and the print setting information (setting print document items in col. 4, lines 24-28).

With respect to claim 28, Koga discloses the computer readable medium as claimed in claim 26, the computer program further comprising program code means for making the obtaining program code means to start to obtain the configuration information right after the configuration information is stored in the setting information region by the printer driver in the client (col. 4, lines 4-11).

With respect to claim 29, Koga discloses the computer readable medium as claimed in claim 25, the computer program further comprising program code means for displaying a user interface screen by which a printer driver name can be specified;

wherein the obtaining program code means obtains configuration information of the printer corresponding to the printer driver name input from the user interface screen (fig. 9).

With respect to claim 30, Koga discloses a computer readable medium storing computer program for causing a server to provide configuration information of a printer to a printer driver of the printer in the sever (col. 8, lines 40-53), wherein the server is used in an image printing system that includes a client, the printer and the server (fig. 2), the computer program comprising;

program code means for referring to correspondence information used for searching for the configuration information of the printer, and passing the configuration information of the printer to the printer driver in the server (acquiring the attribute setting file based on the inputted identification number in col. 9, lines 14-24),

wherein the server includes a function for constituting an environment in which applications run only in the server (col. 5, lines 36-44); and

the program code means passes the configuration information of the printer to the printer driver in the server is performed during an auto-creation process performed by the function to auto-create a logical printer (the attribute setting file is passed to the printer driver so that the driver can convert the document according to the setting file in

col. 4, lines 18-21 & col. 10, lines 14-18). Note that configuring the printer driver according to the setting file is construed as the step of creating a logical printer.

In the Remark filed on 12/8/08, the applicant states that the claimed server refers to the Metaframe server as defined in the Specification (paragraphs [0002] and [0004]). Since the printer driver (applications) of the Koga server only runs in the server (col. 5, lines 36-44), the Koga server is construed as the claimed Metaframe server.

Koga, however, does not explicitly disclose that the passing of the configuration information to the printer driver is performed when the client logs onto the server.

Tamai, the same field of endeavor of the network printing art, discloses a printer server (application server in fig. 5) including logging-in means for allowing/restricting the client user from accessing the print setting file stored in the server (paragraph [0044]). Furthermore, based on the authentication and the stored setting file, the server converts the document data and transmits the converted document to the printer for printing (paragraph [0049]).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the printer server of Koga to include the logging-in means for configuring the setting of the printer driver as taught by Tamai.

The suggestion/motivation for doing so would have been to prevent unauthorized user from accessing the printer server for modifying the configuration setting file of the printer driver.

Therefore, it would have been obvious to combine Koga with Tamai to obtain the invention as specified in claim 30.

With respect to claim 31, Koga discloses the computer readable medium as claimed in claim 30, wherein the correspondence information (identification number in col. 8, line 65 ~ col. 9, line 2) is correspondence information between the printer driver and the configuration information of the printer (storing the list of attribute information with the corresponding printer in col. 8, lines 50-53 & fig. 9).

With respect to claim 34, Koga discloses a computer readable medium storing a computer program for causing a computer to store configuration information of a printer into a server (col. 8, lines 40-53), wherein the server is used in an image printing system that includes a client, the printer and the server (fig. 1), and the server includes a printer driver of the printer, the computer program comprising:

program code means for reading the configuration information of the printer (col. 8, lines 40-53),

program code means for storing the configuration information in the server (col. 8, lines 40-53);

program code means for creating correspondence information (identification number in col. 8, line 65 ~ col. 9, line 2) between the printer driver and the configuration information, and storing the correspondence information in the server (storing the list of attribute information with the corresponding printer in col. 8, lines 50-53 & fig. 9),

wherein the server includes a function for constituting an environment in which applications run only in the server (col. 5, lines 36-44); and

the configuration information of the printer is passed to the printer driver in the server during an auto-creation process performed by the function to auto-create a

logical printer (the attribute setting file is passed to the printer driver so that the driver can convert the document according to the setting file in col. 4, lines 18-21 & col. 10, lines 14-18). Note that configuring the printer driver according to the setting file is construed as the step of creating a logical printer.

In the Remark filed on 12/8/08, the applicant states that the claimed server refers to the Metaframe server as defined in the Specification (paragraphs [0002] and [0004]). Since the printer driver (applications) of the Koga server only runs in the server (col. 5, lines 36-44), the Koga server is construed as the claimed server.

Koga, however, does not explicitly disclose that the passing of the configuration information to the printer driver is performed when the client logs onto the server.

Tamai, the same field of endeavor of the network printing art, discloses a printer server (application server in fig. 5) including logging-in means for allowing/restricting the client user from accessing the print setting file stored in the server (paragraph [0044]). Furthermore, based on the authentication and the stored setting file, the server converts the document data and transmits the converted document to the printer for printing (paragraph [0049]).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the printer server of Koga to include the logging-in means for configuring the setting of the printer driver as taught by Tamai.

The suggestion/motivation for doing so would have been to prevent unauthorized user from accessing the printer server for modifying the configuration setting file of the printer driver.

Therefore, it would have been obvious to combine Koga with Tamai to obtain the invention as specified in claim 34.

With respect to claim 35, Koga discloses the computer readable medium as claimed in claim 34, wherein the configuration information is a file created from information read from a setting information storing region in the client (col. 8, lines 5-13).

With respect to claim 37, Koga discloses the computer readable medium as claimed in claim 35, the computer program further comprising: program code means for displaying a user interface screen used for specifying the file, wherein the program code means for storing the configuration information stores the file specified from the user interface screen as the configuration information in the server (fig. 9).

With respect to claims 11-15, arguments analogous to those presented for claims 25-29, are applicable.

With respect to claims 16 and 17, arguments analogous to those presented for claims 30 and 31, are applicable.

With respect to claims 20, 21 and 23, arguments analogous to those presented for claims 34, 35 and 37, are applicable.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CHAN S. PARK** whose telephone number is (571)272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHAN S PARK/
Examiner, Art Unit 2625

February 10, 2009